

MINUTES OF A REGULAR COUNCIL MEETING HELD AUGUST 25th, 1980.

PRESENT:

Leland J. Roper
 Thomas Callister
 Willis Morrison
 Don Bird

Mayor and presiding
 Councilman
 Councilman
 Councilman

ABSENT:

Max Bennett
 Cecil Losee

Councilman
 Councilman

OTHERS PRESENT:

Neil Forster
 Dorothy Jeffery
 Warren Peterson
 Eric DeHaan
 Ray Little
 Alan Christensen

City Superintendent
 City Recorder
 City Attorney
 City Engineer
 City Resident
 City Resident

Mayor Roper being present called the meeting to order at 8:00 p.m.
 Dorothy Jeffery being present acted as secretary.

The Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Regular Council meeting held August 18th were presented for approval, Councilman Bird MOVED the minutes be approved, MOTION SECONDED by Councilman Callister Motion carried.

ACCOUNTS PAYABLE

Invoices for the current period were presented by the City Recorder for council approval, they were approved upon a MOTION by Councilman Bird, SECONDED by Councilman Morrison and received the unanimous affirmative vote of all councilmen present.

RESOLUTION TO AMEND THE DELTA CITY 1980-81 BUDGET TO INCLUDE THE INCREASED MILL LEVY

Attorney Warren Peterson presented each councilman with a copy of the resolution amending the Delta City 1980-81 budget to include the increased mill levy. After a discussion of the resolution, Councilman Bird MOVED the council adopt the resolution as presented, MOTION SECONDED by Councilman Callister, voting was as follows:

Councilman Don Bird
 Councilman Thomas Callister
 Councilman Willis Morrison
 Councilman Max Bennett
 Councilman Cecil Losee

Yea
 Yea
 Yea
 Absent
 Absent

Resolution to Amend the Delta City 1980-81 Budget to include the increased Mill Levy was signed in open council meeting by Mayor Leland J. Roper and attested by

City Recorder Dorothy Jeffery. Resolution on file in the office of the City Recorder.

MILLARD INTER-GOVERNMENTAL COOPERATIVE ALLIANCE (MICA)

Attorney Warren Peterson explained to council the Millard Community Council was given the mandate to, in effect, organize a group that was acceptable to everyone that would include members from all of the taxing entities in Millard County, the basic organization will be to operate in an advisory capacity only and in no way usurp the authority of each taxing entity. It was suggested the name of the organization be "MILLARD INTER-GOVERNMENTAL COOPERATIVE ALLIANCE (MICA).

The MICA shall be a voluntary association of governments to resolve common problems and to establish effective and efficient policy and procedures. All political subdivisions and taxing entities in Millard County shall be permitted as members of MICA upon following the membership requirements. Each member entity shall be entitled to one representative on the governing board of MICA, except the Millard County shall be entitled to seat two (2) representatives. An entity may become a member entity upon adoption by its governing body of a resolution authorizing membership. MICA shall have a Governing Board, the duly appointed representatives to MICA shall constitute the governing board of MICA. MICA shall have an executive board which shall consist of the officers of MICA. The Executive Board shall have responsibility for the administrative affairs of MICA and shall be limited to that purpose. The officers of MICA shall include a chairman, which shall be a Millard County Commissioner; a vice-chairman for municipalities; a vice-chairman for special service and taxing districts; a secretary and treasurer, all of which offices shall be held by separate individuals. The officers shall be elected from among the members of the governing board by majority vote of the governing board.

Steve Young of the Millard Community Council was asked to write up a proposal for the Articles of Association of the Millard Inter-Governmental Cooperative Alliance to be presented at a meeting to be held Tuesday, August 26th at the Millard County Courthouse in Fillmore sponsored by the Millard Community Council.

There was a general discussion by the council of the proposed MICA organization.

BUILDING PERMIT FOR RUSSELL MAY HOME IN THE BUNKER & SONS BLOCK 17 SUBDIVISION

Mayor Roper read a letter from Attorney LeRay Jackson stating he has been retained by Bunker and Sons to represent them regarding the city refusing to issue a building permit for the Russell May home proposed for lot 4, Block 17. Letter dated August 19, 1980. Mayor Roper then read a second letter from Attorney Jackson dated August 25, 1980 that was hand delivered to him in regards to the above stated building permit with a check enclosed in the sum of \$220.00 for the permit.

There was a general discussion of the past activities in regards to the Bunker and Sons Block 17 Subdivision. Attorney Peterson presented a copy of a letter dated August 25, 1980 to Bunker and Sons he had been directed by council to write in regards to the issuance of the requested building permit and other requirements on the Block 17 Subdivision and also returning Mr. May's \$220.00 check.

Council discussed the proposed letter which in part states that the city had provided assurance of off-site improvements to assist Bunkers in obtaining the Farmers Home Administration loan on lot 3, based on their agreement to post the necessary security and to complete the improvements. The city council specifically agreed that is the letter of assurance to Farmers Home Administration was to be given at the time Bunker's needed it, that they must agree to comply with the security and construction specification of the new subdivision ordinance. Otherwise, the city would not be adequately protected in making the assurances that it did to Farmers Home.

The position adopted by the City Council on Lot 4 was that a building permit could be issued when either the improvements were in place as required under the 1980 Subdivision Ordinance, or the security for those improvements had been posted. When either of these requirements are completed, the City can issue a building permit. If Bunkers post security instead of completing the improvements, a building permit will be issued with an occupancy restriction. The Council is still willing to work out a reasonable schedule for completion of the improvements, if Bunkers so desire. They are not, however, amendable to waiving any of the requirements of the subdivision ordinance, except to issue the building permit with occupancy restriction as indicated above.

Following the discussion of the proposed letter to Bunkers, Councilman Morrison suggested the letter be mailed, all councilmen agreed.

Mayor Roper asked Mr. Ray Little if he wished to address the council. Mr. Little stated he was not fully informed of all the activities between the city and Bunkers his only concern was he would like the problem regarding his proposed home be resolved as soon as possible. Mayor Roper told Mr. Little that all of the minutes of the council meetings regarding the previous dealings between Bunkers and the City were on file and available if he so desired to review them.

Council discussed with City Engineer, Eric DeHaan, the storm drainage of the Bunker and Sons Block 17 Subdivision. Councilman Morrison suggested Mr. DeHaan request he be allowed to study the plan and detail sheets of the Block 17 Subdivision on the problem of the storm drainage for that area and work with Bunkers on solving the issue. Council agreed with the suggestion stating a letter should be written by Mr. DeHaan to the Bunkers requesting a copy of their design sheet for Block 17 Subdivision for the purpose of reviewing it pursuant to the requirements of the Delta City Subdivision Ordinance thus allowing suggestions to be made and to work with Bunkers on the points of discharge for the storm drainage in that area.

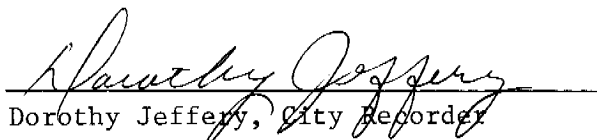
MOBILE HOME PARK ORDINANCE

A Public Hearing was scheduled to be held on the proposed Mobile Home Park Ordinance September 15, 1980 at 7:00 p.m. at the Delta City Offices. Planning/Zoning will review the proposed ordinance prior to the public hearing and make their recommendations to council.

Items eight and nine on the Agenda, Nuisance Ordinance and the Improved Lot Section of the Subdivision Ordinance were briefly discussed by council after which it was the decision of the council to table both items until a later date. Attorney Peterson however, did present a copy of the proposed "Agreement for Off-Site Improvements" and a copy of a proposed letter to property owners in violation of the Abatement Ordinance and a copy of a Memorandum of Requirements under Subdivision Ordinance to each councilman to review. Councilman Morrison made a MOTION that each of the above items be given to the Planning/Zoning Commission for their recommendations to council before any action be taken by council, MOTION SECONDED by Councilman Callister, Motion carried.

Mayor Roper asked if there was any further business or discussion, there being none Councilman Bird made a MOTION the meeting be adjourned, MOTION SECONDED by Councilman Morrison, meeting adjourned at 10:32 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder